

By: Farabee

H.B. No. 517

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the minimum salary schedule for certain public school
3 employees.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Sections 12.133(b), (c), (d), and (e), Education
6 Code, are amended to read as follows:

7 (b) Each school year, using state funds received by the
8 charter holder for that purpose under Subsection (d), a charter
9 holder that participated in the program under Chapter 1579,
10 Insurance Code, for the 2005-2006 school year shall provide
11 employees of the charter holder, other than administrators,
12 compensation in the form of annual salaries, incentives, or other
13 compensation determined appropriate by the charter holder that
14 results in an average compensation increase for classroom teachers,
15 full-time librarians, full-time counselors certified under
16 Subchapter B, Chapter 21, educational diagnosticians certified
17 under Subchapter B, Chapter 21, speech-language pathologists, and
18 full-time school nurses who are employed by the charter holder and
19 who would be entitled to a minimum salary under Section 21.402 if
20 employed by a school district, in an amount at least equal to
21 \$2,500.

22 (c) Each school year, using state funds received by the
23 charter holder for that purpose under Subsection (e), a charter
24 holder that did not participate in the program under Chapter 1579,

1 Insurance Code, for the 2005-2006 school year shall provide
2 employees of the charter holder, other than administrators,
3 compensation in the form of annual salaries, incentives, or other
4 compensation determined appropriate by the charter holder that
5 results in an average compensation increase for classroom teachers,
6 full-time librarians, full-time counselors certified under
7 Subchapter B, Chapter 21, educational diagnosticians certified
8 under Subchapter B, Chapter 21, speech-language pathologists, and
9 full-time school nurses who are employed by the charter holder and
10 who would be entitled to a minimum salary under Section 21.402 if
11 employed by a school district, in an amount at least equal to
12 \$2,000.

13 (d) Each school year, in addition to any amounts to which a
14 charter holder is entitled under this chapter, a charter holder
15 that participated in the program under Chapter 1579, Insurance
16 Code, for the 2005-2006 school year is entitled to state aid in an
17 amount, as determined by the commissioner, equal to the product of
18 \$2,500 multiplied by the number of classroom teachers, full-time
19 librarians, full-time counselors certified under Subchapter B,
20 Chapter 21, educational diagnosticians certified under Subchapter
21 B, Chapter 21, speech-language pathologists, and full-time school
22 nurses employed by the charter holder at an open-enrollment charter
23 school.

24 (e) Each school year, in addition to any amounts to which a
25 charter holder is entitled under this chapter, a charter holder
26 that did not participate in the program under Chapter 1579,
27 Insurance Code, for the 2005-2006 school year is entitled to state

1 aid in an amount, as determined by the commissioner, equal to the
2 product of \$2,000 multiplied by the number of classroom teachers,
3 full-time librarians, full-time counselors certified under
4 Subchapter B, Chapter 21, educational diagnosticians certified
5 under Subchapter B, Chapter 21, speech-language pathologists, and
6 full-time school nurses employed by the charter holder at an
7 open-enrollment charter school.

8 SECTION 2. Section 19.007(f), Education Code, is amended to
9 read as follows:

10 (f) In addition to other amounts received by the district
11 under this section, the district is entitled to state aid in an
12 amount equal to the product of \$2,000 multiplied by the number of
13 classroom teachers, full-time librarians, full-time counselors
14 certified under Subchapter B, Chapter 21, educational
15 diagnosticians certified under Subchapter B, Chapter 21,
16 speech-language pathologists, and full-time school nurses who are
17 employed by the district and who would be entitled to a minimum
18 salary under Section 21.402 if employed by a school district
19 operating under Chapter 11.

20 SECTION 3. Section 19.009(d-1), Education Code, is amended
21 to read as follows:

22 (d-1) Each school year, the district shall pay an amount at
23 least equal to \$2,000 to each classroom teacher, full-time
24 librarian, full-time counselor certified under Subchapter B,
25 Chapter 21, educational diagnostician certified under Subchapter
26 B, Chapter 21, speech-language pathologist, and full-time school
27 nurse who is employed by the district and who would be entitled to a

1 minimum salary under Section 21.402 if employed by a school
2 district operating under Chapter 11. A payment under this section
3 is in addition to wages the district would otherwise pay the
4 employee during the school year.

5 SECTION 4. Sections 21.402(a) and (g), Education Code, are
6 amended to read as follows:

7 (a) Except as provided by Subsection (d), (e), or (f), a
8 school district must pay each classroom teacher, full-time
9 librarian, full-time counselor certified under Subchapter B,
10 educational diagnostician certified under Subchapter B,
11 speech-language pathologist, or full-time school nurse not less
12 than the minimum monthly salary, based on the employee's level of
13 experience in addition to other factors, as determined by
14 commissioner rule, determined by the following formula:

$$15 \quad MS = SF \times FS$$

16 where:

17 "MS" is the minimum monthly salary;

18 "SF" is the applicable salary factor specified by Subsection
19 (c); and

20 "FS" is the amount, as determined by the commissioner under
21 Subsection (b), of state and local funds per weighted student,
22 including funds provided under Section 42.2516(b)(1)(B), but not
23 funds provided under Section 42.2516(b)(1)(A), (b)(1)(C), (b)(2),
24 or (b)(3), available to a district eligible to receive state
25 assistance under Section 42.302 with a maintenance and operations
26 tax rate per \$100 of taxable value equal to the product of the state
27 compression percentage, as determined under Section 42.2516,

1 multiplied by \$1.50, except that the amount of state and local funds
2 per weighted student does not include the amount attributable to
3 the increase in the guaranteed level made by Chapter 1187, Acts of
4 the 77th Legislature, Regular Session, 2001.

5 (g) The commissioner may adopt rules to govern the
6 application of this section, including rules that:

7 (1) require the payment of a minimum salary under this
8 section to a person employed in more than one capacity for which a
9 minimum salary is provided and whose combined employment in those
10 capacities constitutes full-time employment; and

11 (2) specify the credentials a person must hold to be
12 considered a school nurse or speech-language pathologist under this
13 section.

14 SECTION 5. Sections 21.403(a) and (c), Education Code, are
15 amended to read as follows:

16 (a) A teacher, librarian, counselor, educational
17 diagnostician, speech-language pathologist, or nurse shall advance
18 one step on the minimum salary schedule under Section 21.402 for
19 each year of experience as a teacher, librarian, counselor,
20 educational diagnostician, speech-language pathologist, or nurse
21 until step 20 is reached.

22 (c) The commissioner shall adopt rules for determining the
23 experience for which a teacher, librarian, counselor, educational
24 diagnostician, speech-language pathologist, or nurse is to be given
25 credit in placing the teacher, librarian, counselor, educational
26 diagnostician, speech-language pathologist, or nurse on the
27 minimum salary schedule. A district shall credit the teacher,

1 librarian, counselor, educational diagnostician, speech-language
2 pathologist, or nurse for each year of experience without regard to
3 whether the years are consecutive.

4 SECTION 6. Section 30.102(b), Education Code, is amended to
5 read as follows:

6 (b) A classroom teacher, full-time librarian, full-time
7 counselor certified under Subchapter B, Chapter 21, educational
8 diagnostician certified under Subchapter B, Chapter 21,
9 speech-language pathologist, or full-time school nurse employed by
10 the commission is entitled to receive as a minimum salary the
11 monthly salary specified by Section 21.402. A classroom teacher,
12 full-time librarian, full-time counselor certified under
13 Subchapter B, Chapter 21, educational diagnostician certified
14 under Subchapter B, Chapter 21, speech-language pathologist, or
15 full-time school nurse may be paid, from funds appropriated to the
16 commission, a salary in excess of the minimum specified by that
17 section, but the salary may not exceed the rate of pay for a similar
18 position in the public schools of an adjacent school district.

19 SECTION 7. Section 42.2512(a), Education Code, is amended
20 to read as follows:

21 (a) A school district, including a school district that is
22 otherwise ineligible for state aid under this chapter, is entitled
23 to state aid in an amount, as determined by the commissioner, equal
24 to the difference, if any, between:

25 (1) an amount equal to the product of \$3,000
26 multiplied by the number of classroom teachers, full-time
27 librarians, full-time counselors certified under Subchapter B,

1 Chapter 21, educational diagnosticians certified under Subchapter
2 B, Chapter 21, speech-language pathologists, and full-time school
3 nurses employed by the district and entitled to a minimum salary
4 under Section 21.402; and

5 (2) an amount equal to 80 percent of the amount of
6 additional funds to which the district is entitled due to the
7 increases made by Chapter 396 [~~S.B. No. 4~~], Acts of the 76th
8 Legislature, Regular Session, 1999, to:

9 (A) the equalized wealth level under Section
10 41.002;

11 (B) the basic allotment under Section 42.101; and

12 (C) the guaranteed level of state and local funds
13 per weighted student per cent of tax effort under Section 42.302.

14 SECTION 8. Section 42.2516(b), Education Code, is amended
15 to read as follows:

16 (b) Subject to Subsections (g) and (h), but notwithstanding
17 any other provision of this title, a school district is entitled to
18 state revenue necessary to provide the district with the sum of:

19 (1) the amount of state revenue necessary to maintain
20 state and local revenue per student in weighted average daily
21 attendance in the amount equal to the greater of:

22 (A) the amount of state and local revenue per
23 student in weighted average daily attendance for the maintenance
24 and operations of the district available to the district for the
25 2005-2006 school year;

26 (B) the amount of state and local revenue per
27 student in weighted average daily attendance for the maintenance

1 and operations of the district to which the district would have been
2 entitled for the 2006-2007 school year under this chapter, as it
3 existed on January 1, 2006, or, if the district would have been
4 subject to Chapter 41, as that chapter existed on January 1, 2006,
5 the amount to which the district would have been entitled under that
6 chapter, based on the funding elements in effect for the 2005-2006
7 school year, if the district imposed a maintenance and operations
8 tax at the rate adopted by the district for the 2005 tax year; or

9 (C) the amount of state and local revenue per
10 student in weighted average daily attendance for the maintenance
11 and operations of the district to which the district would have been
12 entitled for the 2006-2007 school year under this chapter, as it
13 existed on January 1, 2006, or, if the district would have been
14 subject to Chapter 41, as that chapter existed on January 1, 2006,
15 the amount to which the district would have been entitled under that
16 chapter, based on the funding elements in effect for the 2005-2006
17 school year, if the district imposed a maintenance and operations
18 tax at the rate equal to the rate described by Section 26.08(i) or
19 (k)(1), Tax Code, as applicable, for the 2006 tax year;

20 (2) an amount equal to the product of \$2,500
21 multiplied by the number of classroom teachers, full-time
22 librarians, full-time counselors certified under Subchapter B,
23 Chapter 21, educational diagnosticians certified under Subchapter
24 B, Chapter 21, speech-language pathologists, and full-time school
25 nurses employed by the district and entitled to a minimum salary
26 under Section 21.402; and

27 (3) an amount equal to the product of \$275 multiplied

1 by the number of students in average daily attendance in grades nine
2 through 12 in the district.

3 SECTION 9. This Act applies beginning with the 2007-2008
4 school year.

5 SECTION 10. This Act takes effect September 1, 2007.